

Comparing Slaves and Servants in Colonial New York

In this activity you will read a list of laws regulating Africans and African Americans and a servant's indenture contract from colonial New York. Then you will find evidence in the primary sources to support a series of statements about the differences between slaves and servants in the period.

Objectives

1. You will compare and contrast the experiences of slaves and servants in colonial society
2. You will be able to describe the impact of laws and rules on the experiences of slaves and servants in colonial society.
3. You will analyze primary sources to find evidence to support statements about life in colonial New York.

Instructions

1. **Step 1:** Please locate "**Slave Laws in Colonial New York, 1664-1731.**" As a class, we will read the description and each law out loud. After reading the list of laws, we will discuss the following questions:
 - Are there any of these laws that confuse you? Shock you?
 - Look at the 1713 and 1722 laws: what do they have in common?
 - Compare the 1664 law to the 1706 law: what has changed?
 - What other laws had a similar effect as the 1697 law?
2. **Step 2:** Now that you have some ideas of the rules that were meant to control New York's African-American population, you are going to take a look at servants. First, we can hypothesize a bit: how do you think the rules for servants might differ than the rules for slaves?
3. **Step 3:** Please locate "**An Apprentice's Indenture Contract.**" We will read the document out loud and discuss:
 - What is the name of the apprentice?
 - When did it end?
 - What are the terms of the contract?
 - Who benefits (more) from this relationship?
 - We will not answer the focus questions.
4. **Step 4:** Please locate the comparison **T-chart** worksheet. In groups or pairs, try to find laws or terms from the primary sources to support each of the statements at the bottom of the worksheet. Review answers before concluding the activity.

Historical Context

Dutch New Amsterdam and British New York imported both indentured servants and enslaved Africans to build the colony and its economy. There were important social, economic, and legal differences between European servants and enslaved Africans. Colonists met the demand for cheap labor by increasing their reliance on slavery that created a two-tier society in which whites sought to control the African American population.

Slave Laws in British Colonial New York, 1664—1731

As the population of enslaved Africans grew, colonial elites in New York passed laws to restrict the activities and movements of black residents. These laws were similar to laws passed in Virginia and Maryland, indicating that white fears of slave rebellion were widespread. Following an attempted slave insurrection in New York in 1712, British authorities passed an even harsher set of laws known as the “Black Code.” The wording of the laws has been changed to improve clarity.

1664

- No Christian can be held in slavery.

1681-1683

- Slaves may not leave their masters’ houses without permission.
- Slaves may not own weapons.
- Slaves may not gather in groups larger than four.
- White people and free black people may not entertain slaves in their homes.
- White people and free black people may not sell liquor to slaves.

1692

- Slaves who make noise in the street on Sundays will be whipped.

1697

- People of African descent may not be buried in the town cemetery.

1702

- Slaves may not gather in groups larger than three.
- Slaves who break this law will receive 40 lashes on the naked back.
- Masters may punish their slaves for any misdeed in any way they wish except killing them or cutting off their limbs.

1706

- Masters are no longer obligated to free slaves who convert to Christianity.
- Children born to enslaved women are slaves for life.

1707

- Newly freed black people may not own or inherit land.

1708

- Any slave who murders his or her master will be tortured and killed.
- Any slave who plots with others to murder his or her master will be tortured and killed.

1712

- Any slave who plots with others to revolt will be tortured and killed.
- No slave can ever own a gun or pistol.
- No black person who becomes free after 1712 may own a house or pass property on to their children.
- To free a slave, the master must pay a 200-pound bond, to cover the costs should the freed slave ever become a public charge.

1713

- No slave 14 years or older may go out after dark without a lantern.

1722

- Funerals for slaves and free African Americans must be held during daylight.

1731

- Slaves could not gamble for money
- Slaves who rode a horse too fast or dangerously in the city could be whipped

Focus Questions

Are there any laws that confuse you? Shock you?

Look at the 1713 and 1722 laws: what do they have in common?

Compare the 1664 law to the 1706 law: what has changed?

What other laws had a similar effect as the 1697 law?

An Apprentice's Indenture Contract

Many English settlers arrived in the colonies as indentured servants. Because poor men and women could not afford the cost of travel to North America, they bound themselves for four to seven years' labor in return for passage across the Atlantic. Masters legally owned the labor of indentured servants. Servants who ran away and were caught had to serve longer as punishment. But servants also had legal rights including the right to petition and the right to testify in court. Often a young person agreed to serve a master as an apprentice and be trained in a skill. By signing indenture contracts, such as the one below, masters and servants agreed to specific terms and obligations.

I, William Mathews... of the city of New York... does voluntarily and of his own free will... put himself as an apprentice cordwainer to Thomas Windover...

[William Mathews] will live and... serve from August 15, 1718, until the full term of seven years be completed and ended... [he] shall faithfully serve his master, shall faithfully keep his secrets, and gladly obey his lawful commands everywhere... He shall not waste his said master's goods nor lend them unlawfully to any. He shall not... contract matrimony within the [seven years]. At cards, dice, or any other unlawful game, he shall not play... with his own goods or the goods of others. Without a license from his master he shall neither buy nor sell during the said term. He shall not absent himself day or night from his master's service without his leave, not haunt alehouses, but in all things he shall behave himself as a faithful apprentice toward his master...

The master... shall, by the best means or methods, teach or cause the apprentice to be taught the art or mystery of a cordwainer. He shall find and provide unto the said apprentice sufficient meat, drink, apparel, lodging, and washing fit for an apprentice. During the said term, every night in winter he shall give the apprentice one quarter of schooling. At the expiration of the said term he shall provide him with a sufficient new suit of apparel, four shirts, and two necklets.

Focus Questions

According to the contract, what is William obligated to do?

According to the contract, what is William not allowed to do?

According to the contract, what is Thomas obligated to do?

If you were William, which of the restrictions would you like the least?

If you were William, which of the rewards for your indenture would you look forward to the most, and why?

Comparison of Slaves and Servants in Colonial New York

Enslaved Africans	Indentured Europeans
Slaves	Servants and Apprentices
Enslaved for their entire lives	Served for a limited number of years
Could be freed	Were freed after the indenture ended
Slave status was passed on to children	Indenture was not passed on to children
Laws that limited movements and actions	Legal terms limited movements and actions
Could suffer severe physical punishment	Usually punished with extended service
No legal rights or protections	Right to testify and petition in court
Discriminated on the basis of their race	Not discriminated on the basis of their race
Received no social or financial gains from labor	Received skills and benefits at end of apprenticeship

Find at least one example in the list of slave laws to support each statement:

Slaves were restricted by laws that limited their movements and action

Slaves could suffer severe physical punishment

Slaves and free blacks were discriminated against because of their race!

Find at least one example in the indenture contract to support each statement:

Servants served for a limited number of years

Servants had to obey legal terms that limited their movements and actions

Servants received skills and benefits at end of their apprenticeship
